

A G E N D A
BOARD OF SHELBY COUNTY COMMISSIONERS
CHARTER FORM OF GOVERNMENT
NOVEMBER 22, 2004

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Ricky Jackson
INVOCATION	Commissioner Cleo C. Kirk

PLEDGE OF ALLEGIANCE

ROLL CALL

WILLINGHAM ADOPTED	<u>Approval of Minutes of Previous Sessions October 25, 2004</u>
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C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

LOEFFEL ADOPTED	1. Memorial Resolution in honor of Anthony Okechi Womeodu, outstanding young citizen of Shelby County.
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Ordinances

MOSS APPROVED	2. ORDINANCE – <u>SECOND READING</u> - An ordinance to amend Part II, Code of Ordinances, County of Shelby, Tennessee, so as to establish a new Chapter 30: “Storm Water Management and Pollution Control.”
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Zoning and Subdivisions

MOSS ADOPTED (A-B)	3. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.
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Reports and/or Resolutions of Standing Committees

KIRK ADOPTED	4. Resolution amending the FY 2004 Budget for year end reports.
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**KIRK
ADOPTED**

5. Resolution approving expenditures of \$151,000.00 for renovation of space in the east complex for the Civil and Fugitive Divisions of the Sheriff's Department; authorizing the mayor to execute Outside Contracts in amounts not to exceed \$151,000.00 for renovation; appropriating funds for said contracts from the FY 2004/2005 Budget for CIP Project No. 101710, Office Buildings, in the amount of \$151,000.00.

**LILLARD
ADOPTED**

6. Resolution authorizing Amendment Number 2 to Contract Number CA041448 with Continental Engineering, Inc., for wetland monitoring and reporting documentation at several locations in Shelby County and appropriating funds in the amount of \$30,450.00 from the 2004/2005 Budget for CIP Project Number 1901941, Wetland Mitigation.

**LILLARD
ADOPTED**

7. Resolution awarding a bid to U.S. Bridge for prefabricated steel truss bridges at Bass Road over Sanders Creek, Kerrville-Rosemark Road over Crooked Creek and Sycamore Road over Nonconnah Creek and appropriating funds in the amount of \$379,390.00.

**AVERY
ADOPTED**

8. Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$680,900.00 for the provision of Community Prevention Initiative and Primary Prevention Services for the period July 1, 2004 – June 30, 2005 and amending the FY 2004/2005 Operating Budget.

**AVERY
ADOPTED**

9. Resolution to approve a subcontract between the Memphis and Shelby County Health Department and Socially Yours for Youth, Inc., Project E.C.H.O., to provide community prevention initiative services for the period July 1, 2004 through June 30, 2005, in the amount of \$50,000.00.

**AVERY
ADOPTED**

10. Resolution to approve a subcontract between the Memphis and Shelby County Health Department and Highland Heights Church of Christ to provide community prevention initiative services for the period July 1, 2004 through June 30, 2005, in the amount of \$59,500.00.

**AVERY
ADOPTED**

11. Resolution to approve a subcontract between the Memphis and Shelby County Health Department and Junior Achievement to provide community prevention initiative services for the period July 1, 2004 through June 30, 2005, in the amount of \$61,980.00.

**AVERY
ADOPTED**

12. Resolution to approve a subcontract between the Memphis and Shelby County Health Department and Community Health Resources, Inc., (Graphics "R" Us), to provide community prevention initiative services for the period July 1, 2004 through June 30, 2005, in the amount of \$80,000.00.

THOMPSON
(REMOVED
TO CONSENT
AGENDA)
ADOPTED

13. Resolution authorizing the Mayor to enter into a reciprocal agreement for fire protection services, which includes fire, emergency medical, and technical support relating to any type of emergency, between Shelby County Government and the City of Memphis and authorizing the Mayor to execute same.

THOMPSON
ADOPTED

14. Resolution to approve expenditure to Dell for the purchase of computer hardware from Western States Contracting Alliance; and to appropriate funds from FY 2004/2005 CIP Project Number 101737, Criminal Court Clerk – Integrated Document Management System, in the amount of \$53,508.79.

MOSS
ADOPTED

15. Resolution to amend a contract in the amount of \$80,000.00 between Shelby County Government and the City of Memphis on behalf of the Memphis and Shelby County Division of Planning and Development relative to coordination and financial reimbursement of transportation planning activities in the Memphis urban area.

LOEFFEL
ADOPTED

16. Resolution naming the Arboretum at Shelby Farms “The Morris and Mollye Fogelman Arboretum”.

LOEFFEL
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

FORD
ADOPTED

17. Resolution approving the county mayor’s nomination of Helen S. Cole, Nina (Betty) Loveless, and Ulysses Truitt for reappointment to the *Shelby County Retirement Board*.

Ordinances

FORD
(REFERRED
TO COMMITTEE)

18. **ORDINANCE – THIRD READING (As Amended)** – An Ordinance amending Section 12-38[c] of the Shelby County Code formerly Section 19 of Chapter 110 of the Private Acts of 1971 in order to add language establishing a time limit and other conditions for eligibility for the Civil Service Classified Fallback Position in employment with Shelby County Government.

Zoning and Subdivisions

**MOSS
ADOPTED**

- 19. CASE NO. P.D. 04-343 CC**
APPLICANT: **Ethridge Enterprises**
- LOCATION:** **North side of Walnut Grove Road;
+2,540 feet west of Houston Levee
Road**
- REQUEST:** **A mixed use planned development
containing commercial, multi-family
residential, and single family
residential uses.**

**Memphis and Shelby County Office of Planning and
Development recommendation:
REJECTION**

**Memphis and Shelby County Land Use Control Board
recommendation:
REJECTION**

**(Notice of public hearing published in the Daily News on
Friday, October 29, 2004.)**

**MOSS
(DEFERRED
TO 12/06/04)**

- 20. CASE NO. P.D. 04-356 CC**
(Briarcrest Baptist School Planned Development)
- APPLICANT:** **Waymon H. Welch, Jr.
and Dawn Kinard**
- LOCATION:** **South side of Old Dexter Road;
+653.89 feet east of Bonnie Drive**
- REQUEST:** **Amendment to an existing planned
development to permit a car wash in
Area A**

**Memphis and Shelby County Office of Planning and
Development recommendation:
REJECTION**

**Memphis and Shelby County Land Use Control Board
recommendation:
APPROVAL WITH CONDITIONS**

**(Notice of public hearing published in the Daily News on
Friday, November 12, 2004.)**

MOSS
ADOPTED

21. CASE NO. Z 04-133 CC
APPLICANT: Ken and Lauren Zimmerman
- LOCATION: East side of Whitten Road; +/-1,366 feet north of Macon Road
- REQUEST: Local Commercial (C-L) District
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL
- (Notice of public hearing published in the Daily News on Friday, November 12, 2004.)

Reports and/or Resolutions for Standing Committees

FORD
(DEFERRED
TO 12/06/04)

22. Resolution approving on-the-job injury benefits for Michael A. Walden.

FORD
ADOPTED

23. Resolution to adopt and establish Shelby County Retirement System Plan C, a contributory retirement plan for the benefit of all eligible employees hired on or after the effective date and of all Plan A participants hired before the effective date who elect to transfer to Plan C.

FORD
ADOPTED

- 23A. Resolution appointing the executive secretary chief executive to the Shelby County Board of Commissioners

FORD
(DEFERRED
TO 12/06/04)

- 23B. Resolution approving the reclassification of the vacant Deputy Administrator A position for the Shelby County Board of Commissioners to an executive secretary position and appointing Frances Elkins to the position.

Announcements/Statements

24. Notification from county mayor of various appointments/reappointments to Boards, Commissions, and offices of Shelby County Government.
- a. Resolution approving the county mayor's nomination of Travis Smith for reappointment to the *Shelby County Healthcare Corporation*, retroactive to January 10, 2003, and expiring on January 10, 2006, for a term of three (3) years.

Adjournment

**FORD
ADOPTED**

**25. Resolution of Adjournment to December 6, 2004, at 1:30
p.m.**

AGENDA # 3
NOVEMBER 22, 2004

3A

SUBDIVISION: BRIARCREST BAPTIST SCHOOL SYSTEM P.D., SECOND AMENDMENT, PHASE 1 (P.D. 04-321 CC)

DEVELOPER: WELCH REALTY CO.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO BRIARCREST BAPTIST SCHOOL SYSTEM P.D., SECOND AMENDMENT, PHASE 1 (P.D. 04-321 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: SOUTH SIDE OF OLD DEXTER ROAD; +653.89 FEET EAST OF BONNIE DRIVE

3B

SUBDIVISION: PEMBERTON MEADOW P.D. (P.D. 04-331 CC)

DEVELOPER: CHAPEL RIDGE PARTNERS

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO PEMBERTON MEADOW P.D. (P.D. 04-331 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF HOLMES ROAD, +/-5,303 FEET EAST OF HACKS CROSS ROAD

[For questions regarding the Agenda,
please call Grace Hutchinson, Chief Administrator, at 545-4301.]